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\*E-FILED 8/25/06\*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

SCOTT SALYER,

NO. C 05-3562 JW (RS)

Plaintiff,

**ORDER DENYING REQUEST  
FOR ORDER SHORTENING  
TIME**

v.

SALYER AMERICAN FRESH FOODS, ET AL.,

Defendants.

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Before the Court is the parties' stipulated request for an order shortening time in which to hear a motion to compel, pursuant to Local Civil Rule 6-2. The request asserts that good cause exists to hear the matter on shortened time because the discovery in dispute "may be relevant" to an upcoming deposition that is presently scheduled for September 26, 2006. Absent from the request is any description of the progress of discovery to date, upcoming events, or any explanation as to why this matter has arisen now or why the deposition cannot be rescheduled. Particularly in light of the Court's existing calendar on the hearing date requested, this showing is insufficient.

The parties are advised that the next available regular hearing date is October 4, 2006, which would allow the motion to be filed on August 30, 2006 as proposed, but with briefing thereafter on

1 the normal schedule set forth in the Local Rules.

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3 IT IS SO ORDERED.

4 Dated: August 25, 2006

/s/ Nandor J. Vadas

5 NANDOR J. VADAS

6 United States Magistrate Judge

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ORDER DENYING REQUEST FOR ORDER SHORTENING TIME  
C 05-3562 JW (RS)

**United States District Court**  
For the Northern District of California

1 **THIS IS TO CERTIFY THAT NOTICE OF THIS ORDER HAS BEEN GIVEN TO:**

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9 Counsel are responsible for distributing copies of this document to co-counsel who have not  
registered for e-filing under the Court's CM/ECF program.

10 **Dated: 8/25/06**

11 **Chambers**

12 By: /s/ BAK